

**TRASKBRITT**

Intellectual Property Attorneys

**FACSIMILE TRANSMITTAL SHEET**Total number of pages including cover letter: 2To: Examiner D. ZarnekeDate: September 4, 2002Facsimile No.: (703) 746-3876

Telephone No.:

From: Brick G. PowerYour Reference: 10/074,840Client/matter number: 2269-4212.3USMessage/Comments: Enclosed please find a corrected Terminal Disclaimer for the above referenced patent application.

Faxed by: \_\_\_\_\_ Date: \_\_\_\_\_ Time: \_\_\_\_\_

*If you do not receive the complete document, please call (801) 532-1922 as soon as possible*

**CONFIDENTIALITY NOTE:** The documents accompanying this facsimile transmission contain information from the law firm of TRASKBRITT, which is confidential and/or legally privileged. The information is intended only for the use of the individual or entity named in this transmission sheet above. If you are not the intended recipient, you are hereby notified that any disclosures, copying, distribution or the taking of any action in reliance on the contents of this facsimile information is strictly prohibited, and that the documents should be returned to this firm immediately. In this regard, if you have received this facsimile transmission in error, please notify us by telephone immediately so that we can arrange for the return of the documents to us at no cost to you.



SEP. 04 '02 (WED) 15:00

3 2002 PAGE. 2

RECEIVED

TECHNOLOGY CENTER 2800  
SPECIAL PROGRAM CENTER

SEP 5 2002

OFFICE OF THE SPECIAL  
PROGRAMS EXAMINER

PTO/SB/28 (10-00)  
Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING  
REJECTION OVER A PRIOR PATENT

Docket Number (Optional)  
2269-4212.US

In re Application of: Warren M. Farnworth

Application No.: 10/074,840

Filed: February 13, 2002

For: STEREOLITHOGRAPHIC METHODS FOR FABRICATING HERMETIC SEMICONDUCTOR DEVICE PACKAGES  
AND SEMICONDUCTOR DEVICES INCLUDING STEREOLITHOGRAPHICALLY FABRICATED HERMETIC PACKAGES

The owner, Micron Technology, Inc., of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173, as presently shortened by any terminal disclaimer, of prior Patent No. 6,432,752. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of the prior patent, as presently shortened by any terminal disclaimer, in the event that it later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims cancelled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

Check either box 1 or 2 below, if appropriate.

1.  For submissions on behalf of an organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the organization.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

2.  The undersigned is an attorney of record.

RECEIVED

Brick G. Power

9/4/02

Signature

Date

Brick G. Power

Typed or printed name  
Reg. No. 38,581

- The Commissioner is authorized to charge the terminal disclaimer fee under 37 CFR 1.20(d) to Deposit Account 20-1469

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

\*Certification under 37 CFR 3.73(b) is required if terminal disclaimer is signed by the assignee (owner).  
Form PTO/SB/96 may be used for making this certification. See MPEP § 324.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

TERMINAL DISCLAIMER  
APPROVED

SEP 13 2002

Received from <> at 9/4/02 5:05:02 PM [Eastern Daylight Time]

TECHNOLOGY CENTER 2800  
SPECIAL PROGRAM CENTER

Wilmal P. Vega

DATE: 13 Sept 2002

TO: EXAMINER ZARNEKE

FROM: Deborah Perry Vega  
PARALEGAL SPECIALIST

APPL. S.N.:

101074, 840  
2827

ART UNIT:

SUBJECT: Decision on Terminal Disclaimer (T.D.) filed: 4 Sept. 2002

#2

INSTRUCTIONS: I have reviewed the submitted T.D. with the results as set forth below. If you agree, please use the appropriate form paragraphs identified by this informal memo in your next Office action to notify applicant of the T.D. If you disagree or have any questions, please see me or the Special Program Examiner. THIS IS AN INFORMAL, INTERNAL MEMO ONLY. IT MUST NOT BE (1) MAILED TO APPLICANT OR (2) PLACED OF RECORD IN THE APPLICATION FILE. When your action is complete, please initial, date and return this memo to me. THANK YOU.

The T.D. is PROPER and has been recorded (see § 14.23).

The T.D. is NOT PROPER and has not been accepted for the reason(s) checked below (see § 14.24):

The TD fee of 110 <sup>00</sup> has not been submitted nor is there any authorization in the application file for the use of a deposit account (see § 14.26.07). Account # 20-1469

The T.D. does not satisfy Rule 321 in that the person who has signed the T.D. has not stated the extent of his/her interest (and/or the extent of the interest of the business entity represented by the signature) in the application/patent (see §§ 14.26 & 14.26.01).

The T.D. lacks the enforceable only during common ownership clause – needed to overcome a non-statutory double patenting rejection, Ruic 321(b) (see § 14.27.01).

The T.D. is directed to a particular claim(s), which is not acceptable since “the disclaimer must be for a terminal portion of the term of the entire patent to be granted” (MPEP 1490) (see §§ 14.26 & 14.26.02).

The person who signed the T.D.:

is not an attorney “of record” (see §§ 14.29 and 14.29.01).

has failed to state his/her capacity to sign for the business entity (see § 14.28).

is not recognized as an officer of the assignee (see §§ 14.29 & possible 14.29.02).

No documentary evidence of a chain of title from the original inventor(s) to assignee has been submitted, nor is the reel and frame number specified as to where such evidence is recorded in the Office (see 37 CFR 3.73(b) and 1140 O.G. 72). NOTE: This documentary evidence or the specifying of the reel and frame number may be found in the T.D. or in a separate paper of record in the application (see § 14.30).

The T.D. is not signed (see §§ 14.26 & 14.26.03).

The serial number of the application (or the number of the patent) which forms the basis for the double patenting rejection is missing or incorrect (see § 14.32).

The serial number of this application (or the number of the patent in reexam or reissue cases being disclaimed) is missing or incorrect (see §§ 14.26, 14.27.02 or 14.26.05).

The period disclaimed is incorrect or not specified (see §§ 14.26, 14.27.02 or 14.26.03).

Other:

PLEASE CHARGE FEE

Suggestion to request refund (see § 14.36). NOTE: If already authorized, credit refund to deposit account and do not check this item.

I have appropriately notified applicant(s) of the status of the Terminal Disclaimer filed in this case.

Ex. Initials:

Date:

9/17/02

Log Date: